

8/15/04

Services

inspection (from notice by Washington Dept. of Social & Health Services
debbie coburn = director of surrydowns children's center
she pays rent to king county (for 23 years)

5 samples (wipe)

2 - light fixtures in main office

2 - light fixtures in front section of Pre School 3 area

1 - plastic tub below a drip in back section of Pre School 4 area
children present (napping)

light fixtures w/ small oil drip signs

light fixtures w/oily tar substance in plastic diffuser trays

picture - main office area - leaking light ballast - sample # 04324050

picture - main office area - potting compound in tray - sample # 04324050

picture - main office area - oil stain - sample # 04324051

picture - main office area - ballast label - sample # 04324050

picture - main office - ballast label

picture - main office -

460,000 picture - preschool 3 - oil stain in fixture - sample # 04324052

picture - " " " - " " " - " " "

picture - " " " - " " " - " " "

picture - " " " - oil on wires - " " "

picture - " " " - leaking oil - " " "

40,000 picture - " " " - " " - sample # 04324053

310 picture - " " " - plastic tub on floor - sample # 04324054
w/oil drops (where "roof had been leaking")

8/10/04

inspection

14 samples (1 quality assurance blank)

after school area = 5 ballast and tray wipe samples / 1 ceiling beam ^{wipe} sample

pre kindergarten / kindergarten rooms = 4 ballast and tray wipe samples

preschool 4 room back area = 3 samples (2 ballast & tray wipe sample

(& one carpet wipe from stain below leaking ballast)

sample locations:

40

04334301 = after school room area (area divided into 3 rooms). back room
picture 3 double fixtures. sample of oil spot in tray on west end of fixtures on north side of room.

96,000

04334302 = sample of oil spots in tray below magnetek ballast ("no pcb" label). fixture in southwest portion of room.
3 pictures

47

04334303 = sample of oil spots in tray below advance ballast ("no pcb" label)
2 pictures oil coming out of ballast and in tray. fixture in southeast portion of room.

920

04334304 = center room. 6 doubles and 2 triple fixtures. sample of oil
picture spots in tray below Jefferson Electric ballast (no label). oil
coming out of ballast and into tray. fixture in north side of room in triple fixture and at west end of fixtures.

40

04334305 = sample of brown fluid running down west side of ceiling beam
picture in northern section of room near light fixture.

18

04334306 = back room. sample of oil spots in tray below advance ballast
pictures (no label). oil coming out of ballast and in tray.

1,100

04334307 = pre kindergarten / kindergarten room area (divided into 2 rooms).
3 pictures back room has 2 sections. double fixture over sink area or side of room leaking into plastic diffuser tray. sample from west end of fixture from diffuser tray & metal tray from Advance ballast (label "no pcb")

390,000

04334308 = sample from 2nd triple fixture from south edge of room.
2 picture ballast and lights removed but metal tray full of potting compound.

210

04334309 = sample from double fixture in northwest corner of back room on east end of fixture. ballast labelled "no pcb". tar from older (removed ballast). sample from tray area.

1,500,000

04334310 = front room, split into 2 sections. sample from 2nd triple fixture from north wall. east end of fixture sampled. sample of ballasts/wire tray. ballast a Jefferson Electric.

330,000

04334311 = Pre School 4 area. divided into 2 rooms. back room split into 2 sections. sample from 2nd triple fixture from north wall at east end. oil starting to drip onto diffuser tray. leaky ballast a Jefferson Electric.

700,000

04334312 = sample from first double fixture in southwest corner of the room. sign of oil leaking at end of fixture. sample from tray ballast a Jefferson Electric.

92

04334313 = sample from carpet stain below leaking ballast in first double fixture in northwest corner of room.
3 pictures

main office area = ① 81 ppm ② 390 ppm } \$1725

pre school #3 = ① 460,000 ppm \$1725
 ② 140,000 ppm \$1725
 ③ tub/floor (310 ppm) \$5775

main office = 2 → 1725
 preschool = 3 → 1725 (460,000)
 1725 (140,000)
 5775 (tub)

after school area = 3 → 1725 (96,000)
 1725

Kinder garten = 4 → 1725 (390,000)
 1725
 1725 (1,500,000)

preschool = 3 → 5775 (carpet)
 1725 (3,300,000)
 1725 (1,700,000)

after school area = ① 960,000 ppm \$1725
 ② 920 ppm \$1725
 ③ 58 ppm } \$1725

Kindergarten = ① 1,100 ppm } \$1725
 ② 210 ppm }
 ③ 1,500,000 ppm \$1725
 ④ 390,000 ppm \$1725

preschool #4 = ① carpet (92 ppm) \$5775
 ② 1,700,000 ppm \$1725
 ③ 3,300,000 ppm \$1725

$$\begin{array}{r}
 28,800 \\
 + 16,125 \\
 \hline
 * \$44,925
 \end{array}$$

nesting container = \$3450

44 925
 29 510
 —————
 744 35

nesting storage area = \$3450

improper container = \$3450

no notice/l.i.d. = \$5775

\$16,125

COUNTS

#1 leaking light ballast / tray
main office area
#04324050
81 ppm
improper disposal
extent = minor
circumstances = 3
penalty = \$1,725

#2 leaking oil stain
main office area
#04324051
390 ppm
improper disposal
extent = minor
circumstances = 3
penalty = \$1,725

#3 oil stain in fixture / wires
pre school 3
#04324052
460,000 ppm
improper disposal
extent = minor
circumstances = 1
penalty = \$5775

#4 leaking oil
pre school 3
#04324053
140,000 ppm
improper disposal
extent = minor
circumstances = 3
penalty = \$1,725

#5 plastic tub on floor collecting oil drips
#6 pre school 3
#7 #04324054
#8 761.45(c)(6)
improper container / inspections
extent = minor
circumstances = 2
penalty = \$1,3450

#6 - 761.40(a)(1)
marking container
extent = minor
circumstances = 2
penalty = \$3450

#7 761.40(a)(10) &
marking storage area 65(c)(3)
extent = minor
circumstances = 2
penalty = \$3450

- civil monetary penalty inflation adjustment rule 40 CFR Part
 - ↳ \$32,500 / day (beyond TSCA #25,000 / day)

- count clarifications

- higher penalty = greatest concentrations (or amounts); location or count

4/11/05

5 v. 15 disposal counts →

$$\begin{array}{r}
 \begin{array}{c} 3 \\ 5775 \\ 5775 \\ 5775 \\ 1725 \\ 1725 \end{array} \\
 \begin{array}{l} 3450 \\ 3450 \\ 3450 \\ 5775 \end{array} \\
 \hline
 \begin{array}{c} 3 \\ 4 \\ 5 \\ 5 \\ 125 \end{array} \\
 \hline
 \begin{array}{c} 3 \\ 5775 \\ 5775 \\ 5775 \\ 1725 \\ 1725 \\ \hline *20,775 \end{array}
 \end{array}$$

50% ↘ culpability:
~~up to 25%~~

~~20775
16125
\$36,900~~

\$81,500 → for cleanup

15% ↘ attitude: down 15%

25%

$$\begin{array}{r}
 \begin{array}{c} 7.39 \\ 900 \\ 900 \end{array} \\
 \begin{array}{c} 36 \\ 7.39 \\ 100 \end{array} \\
 \hline
 \begin{array}{c} 36 \\ 35 \\ 15 \\ 45 \end{array} \\
 \hline
 \begin{array}{c} 7.39 \\ 900 \\ 900 \\ 15 \\ 45 \end{array} \\
 \hline
 \begin{array}{c} 291510 \end{array}
 \end{array}$$

counsel for Sunoco
 Joshua C. Allen
 493-2316
 493-2300

- #10 oil spots in tray beneath ballast
after school room
- # 04334302
- 96,000 ppm
- improper disposal
extent = minor
circumstances = 3
penalty = \$1,725
- #11 oil spots in tray below ballast
center room (after school area)
- #04334304
- 920 ppm
- improper disposal
extent = minor
circumstances = 3
penalty = \$1,725
- #12 oil spots in tray beneath ballast
after school area (back room)
- # 04334306
- 58 ppm
- improper disposal
extent = minor
circumstances = 3
penalty = \$1,725
- #13 fixture leaking into tray
Kindergarten area
- #0433407
- 1,100 ppm
- improper disposal
extent = minor
circumstances = 3
penalty = \$1,725
- #14 metal tray / ^{potting} compound / ballast gone
Kindergarten area
- #04334308
- 390,000 ppm
- improper disposal
extent = minor
circumstances = 1
penalty = \$5,775
- #15 tar from tray area / ballast gone
Kindergarten area
- #04334309
- 210 ppm
- improper disposal
extent = minor
circumstances = 3
penalty = \$1,725

